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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,970	06/25/2003	Gregory S. Smith	CS22826US	3759

7590 05/10/2006

Motorola, Inc.  
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EXAMINER

PATEL, HEMANT SHANTILAL

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 05/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/603,970

Applicant(s)

SMITH ET AL.

Examiner

Hemant Patel

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 5, 6, 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Kraft (US Patent No. 6,424,829 B1).

***Regarding claim 1,*** Kraft teaches of a method for message management within a communication device comprising the steps of:

storing one or more contacts within a contacts memory (col. 4, ll. 62-64, define parameter which is sender phone number, name etc.) ;

storing one or more received messages within a message memory, wherein each of the stored messages includes a message source (col. 4, ll. 4041, place/store message; and message includes a sorting criteria i.e. message source CLI, col. 4, ll. 34-36, 7-10);

comparing the message source of at least one message to the one or more stored contacts (col. 4, 36-38, sorting means recognizes identification); and

retaining storage of the at least one message when the message source of the at least one message is one of the stored contacts (col. 4, ll. 36-38, automatically sort the message into the folder).

**Regarding claim 5**, Kraft teaches of a method for message management, wherein each of the one or more contacts has a contact folder, the method further comprising the steps of:

identifying the contact of the one or more contacts matching the message source of the at least one message (col. 4, 36-38, sorting means recognizes identification); and

storing the at least one message within the contact folder of the matching contact (col. 4, ll. 36-38, automatically sort the message into the folder).

**Regarding claim 6**, it recites a communication device that substantially performs a method as claimed in claim 1. Kraft teaches of a device (Fig. 1, items 100, 110) that performs this method. Refer to rejection for claim 1.

**Regarding claim 9**, it recites a communication device that substantially performs a method as claimed in claim 5. Kraft teaches of a device (Fig. 1, items 100, 110) that performs this method. Refer to rejection for claim 5.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 3, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kraft as applied to claims 1, 6 above, and further in view of Kargman (US Patent Application Publication No. 2002/0049644 A1).

**Regarding claim 2,** Kraft does not teach of setting and using timer to delete the message.

However, in the same field of endeavor, Kargman teaches of a user selected criteria of expiration of predetermined period of time to automatically delete a message (Paragraph 0061).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kraft to include automatic deletion of a stored message at the expiration of predetermined period of time as taught by Kargman in order to remove the old notices with no importance or relevance (Kargman, Paragraph 0061, i.e. notices to which user failed to respond in a given period of time).

**Regarding claim 3,** Kraft teaches of storing the message within the contact folder as well as root area of memory i.e. outside of contact folder.

Kraft does not teach of setting and using timer to delete the message.

However, in the same field of endeavor, Kargman teaches of a using the expiration of predetermined period of time to automatically retain (store) notices or transaction codes (messages) (Paragraph 0061).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify sorting by contact as taught by Kraft to include automatic retaining of a notice or transaction (message) at the expiration of predetermined period

of time as taught by Kargman in order to store it for later reference according to vendor contact "more likely to be used and beneficial to the users" (Kargman, Paragraph 0061).

**Regarding claim 7**, it recites a communication device that substantially performs a method as claimed in claim 2. Kargman further teaches of a device (Fig. 1, item 100) that performs this method. Refer to rejection for claim 2 and claim 6.

5. Claims 4, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kraft as applied to claims 1, 6 above, and further in view of Kynast (US Patent Application Publication No. 2003/0100292 A1).

**Regarding claim 4**, Kraft does not teach of reaching a memory storage limit.

However, in the same field of endeavor, Kynast teaches of reaching a memory storage limit and retaining or deleting a message according to predefined criteria (Paragraph 0007), wherein the criteria is an information about the source (Paragraph 0009, i.e. source identity).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kraft to save or delete messages according to predefined criteria as taught by Kynast in order to allow "messages to be managed in a highly intelligent and user-friendly manner, which may also be adapted to personal wishes and then renders subsequent, manual intervention in the management largely unnecessary" (Kynast, Paragraph 0009).

**Regarding claim 8**, it recites a communication device that substantially performs a method as claimed in claim 4. Kynast further teaches of a device (Fig. 1) that performs this method. Refer to rejection for claim 4 and claim 6.

### **Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Morse (US Patent No. 6,055,413) System And Method For Including Origination Time And Update Lifetime With Updateable Messages

De Kermadec (US Patent No. 6,807,411 B1) Telecommunication Equipment With At Least One Storage Location Reserved For Operator-Managed Data And Corresponding Method

Lafin (US Patent No. 5,705,995) Selective Call Receiver And Method Of Storing Messages Therein

King (US Patent No. 5,535,428) Method And Apparatus For Selectively Retaining Messages Received By A Radio Receiver Based Upon Message Content

Torvinen (US Patent Application Publication No. 2004/0242202 A1) System, Apparatus, And Method For Automated Handling Of Messages In Terminals

Hyon (US Patent Application Publication No. 2003/0003897 A1) Method For Storing And Transmitting Voice Mail Using SVMS In A Mobile Communication Terminal

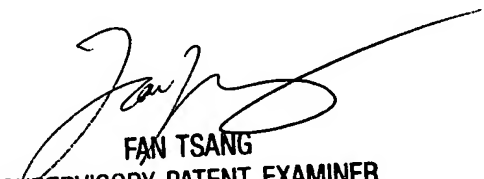
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant Patel whose telephone number is 571-272-8620. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hemant Patel  
Examiner  
Art Unit 2614

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